

**DECLARATION - Utility or Design Patent Application**

I hereby claim the benefit under 35 U.S.C. 120 of any United States application(s), or 365(c) of any PCT international application designating the United States of America, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of 35 U.S.C. 112, I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application.

**U.S. Parent Application or PCT Parent Number****Parent Filing Date (MM/DD/YYYY)****Parent Patent Number (if applicable)**☐ Additional U.S. or PCT international application numbers are listed on a supplemental priority data sheet PTO/SB/02B attached hereto.

As a named inventor, I hereby appoint the following registered practitioner(s) to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith:

☐ Customer Number  
OR☒ Registered practitioner's name/registration number listed below

Place Customer  
Number Bar Code  
Label Here

Name	Registration Number	Name	Registration Number
Kevin D. McCarthy	40,041	R. Kent Roberts	40,786
Martin G. Linihan	24,926	Michael F. Scalise	34,920
Ranjana Kadle	35,278	Daniel C. Oliverio	33,435
David L. Principe	39,336	Edwin T. Bean, Jr.	16,639

☐ Additional registered practitioner(s) named on supplemental Registered Practitioner Information sheet PTO/SB/02C attached heretoDirect all correspondence to: ☐ Customer Number  
or Bar Code LabelOR ☒ Correspondence address below

<b>Name</b>	Kevin D. McCarthy				
<b>Address</b>	Hodgson, Russ, Andrews, Woods & Goodyear LLP				
<b>Address</b>	One M&T Plaza, Suite 2000				
<b>City</b>	Buffalo	<b>State</b>	New York	<b>ZIP</b>	14203-2391
<b>Country</b>	United States	<b>Telephone</b>	(716) 856-4000	<b>Fax</b>	(716) 849-0349

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

**Name of Sole or First Inventor:**☐ A petition has been filed for this unsigned inventor

Given Name (first and middle [if any])

Family Name or Surname

Thomas P.

Stewart

**Inventor's Signature**6/21/2000  
Date**Residence: City**

Orchard Park

**State**

New York

**Country**

United States

**Citizenship**

United States

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**State**

New York

**ZIP**

14127

**Country**

United States

☒ Additional inventors are being named on the 1 supplemental Additional Inventor(s) sheet(s) PTO/SB/02A attached hereto.

## DECLARATION

ADDITIONAL INVENTOR(S)  
Supplemental Sheet  
Page 3 of 3

Name of Additional Joint Inventor, if any:

☐ A petition has been filed for this unsigned inventor

Given Name (first and middle [if any])

Family Name or Surname

Hermann K.

Pohl

Inventor's  
Signature*Hermann K. Pohl*6/22/00  
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Country

United States

Name of Additional Joint Inventor, if any:

☐ A petition has been filed for this unsigned inventor

Given Name (first and middle [if any])

Family Name or Surname

Inventor's  
Signature

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Residence: City

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Name of Additional Joint Inventor, if any:

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Inventor's  
Signature

Date

Residence: City

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City

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Country

STATEMENT CLAIMING SMALL ENTITY STATUS  
(37 CFR 1.9(f) & 1.27(c)) - SMALL BUSINESS CONCERN

Patent Number  
01978.0229

Applicant or Patentee: Thomas P. Stewart and Hermann K. Pohl

Application or Patent No.: \_\_\_\_\_

Filed or Issued: June 26, 2000

Title: AUTOMATIC PATIENT CONTROL DEVICE

I hereby declare that I am

☐ the owner of the small business concern identified below:

☒ an official of the small business concern empowered to act on behalf of the concern identified below:

NAME OF SMALL BUSINESS CONCERN Gaymar Industries, Inc.

ADDRESS OF SMALL BUSINESS CONCERN 10 Centre Drive

Orchard Park, New York 14127

I hereby state that the above-identified small business concern qualifies as a small business concern as defined in 13 CFR Part 121 for purposes of paying reduced fees to the United States Patent and Trademark Office. Questions related to size standards for a small business concern may be directed to: Small Business Administration, Size Standards Staff, 409 Third Street, SW, Washington, DC 20416.

I hereby state that rights under contract or law have been conveyed to and remain with the small business concern identified above with regard to the invention described in:

☒ the specification filed herewith with title as listed above.

☐ the application identified above.

☐ the patent identified above.

If the rights held by the above-identified small business concern are not exclusive, each individual, concern or organization having rights in the invention must file separate statements as to their status as small entities, and no rights to the invention are held by any person, other than the inventor, who would not qualify as an independent inventor under 37 CFR 1.9(c) if that person made the invention, or by any concern which would not qualify as a small business concern under 37 CFR 1.9(d), or a nonprofit organization under 37 CFR 1.9(e).

Each person, concern or organization having any rights in the invention is listed below:

☒ no such person, concern, or organization exists.

☐ each such person, concern, or organization is listed below.

Separate statements are required from each named person, concern or organization having rights to the invention stating their status as small entities (37 CFR 1.27).

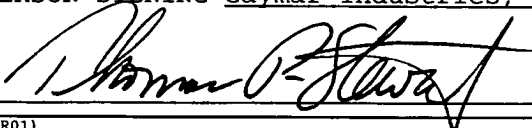
I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate (37 CFR 1.28(b)).

NAME OF PERSON SIGNING Thomas P. Stewart

TITLE OF PERSON OTHER THAN OWNER President and Chief Operating Officer

ADDRESS OF PERSON SIGNING Gaymar Industries, Inc., 10 Centre Drive, Orchard Park, New York 14127

SIGNATURE



Date

6/22/2000

**DECLARATION FOR PATENTABILITY OR  
DESIGN  
PATENT APPLICATION  
(37 CFR 1.63)**

Attorney Document Number

01978.0229

First Named Inventor

Thomas P. Stewart et al.

**COMPLETE IF KNOWN**

Application Number

Filing Date

June 26, 2000

Group Art Unit

Examiner Name

☒ Declaration Submitted with Initial Filing **OR** ☐ Declaration Submitted after Initial Filing (surcharge (37 CFR 1.16(e)) required)

**As a below named inventor, I hereby declare that:**

My residence, post office address, and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

**AUTOMATIC PATIENT CONTROL DEVICE**

the specification of which  
☒ is attached hereto  
OR

*(Title of the Invention)*

☐ was filed on (MM/DD/YYYY)  as United States Application Number or PCT International  
Application Number  and was amended on (MM/DD/YYYY)  (if applicable).

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment specifically referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56.

I hereby claim foreign priority benefits under 35 U.S.C. 119(a)-(d) or 365(b) of any foreign application(s) for patent or inventor's certificate, or 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box, any foreign application for patent or inventor's certificate, or of any PCT international application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application (Numbers)	Country	Foreign Filing Date (MM/DD/YYYY)	Priority Not Claimed	Certified Copy Attached? YES NO	
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

☐ Additional foreign application numbers are listed on a supplemental priority data sheet PTO/SB/02B attached hereto.

I hereby claim the benefit under 35 U.S.C. 119(e) of any United States provisional application(s) listed below.

Application Number(s)	Filing Date (MM/DD/YYYY)	<input type="checkbox"/> Additional provisional application numbers are listed on a supplemental priority data sheet PTO/SB/02B attached hereto.